

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

DEVIL’S REACH CONDOMINIUM)

and)

DEVIL’S REACH CONDOMINIUM)
UNIT OWNERS ASSOCIATION)

Plaintiffs,)

v.)

NATIONWIDE MUTUAL INSURANCE)
COMPANY)

Defendant.)

Case No.: 1:21-cv-00193

NOTICE OF REMOVAL

Nationwide Mutual Insurance Company (“Nationwide”), by counsel, hereby gives Notice of Removal of this action from the Circuit Court for Prince William County, where this action is now pending. This Notice of Removal is filed pursuant to 28 U.S.C. §§ 1441 and 1446. This removal is based on the following:

1. Plaintiffs Devil’s Reach Condominium and Devil’s Reach Condominium Unit Owners Association (“Plaintiffs”) filed their First Amended Complaint (“Amended Complaint”) on January 26, 2021 in the Circuit Court for Prince William County, styled Devil’s Reach Condominium and Devil’s Reach Condominium Unit Owners Association v. Nationwide Mutual Insurance Company, Case No. CL20002244-00 (“State Court Action”) seeking compensatory damages in the amount of \$473,121.13 plus interest, costs, and attorney’s

fees. A copy of the Amended Complaint that was filed in the State Court Action is attached as **Exhibit A** to this Notice of Removal.

2. On or about January 29, 2021, Nationwide was served through their registered agent with the Amended Complaint and Summons, and subsequently filed a timely Answer, which is attached as **Exhibit B**.
3. Nationwide is filing this Notice of Removal in this Court within thirty days of service of the Summons and Amended Complaint in the State Court Action.
4. This matter is removable to this Court pursuant to 28 U.S.C. § 1332 as there is complete diversity of citizenship between and among the parties and there is a sufficient amount in controversy. The Amended Complaint alleges that Nationwide is an Ohio corporation with is principal place of business in Ohio. Further, the Amended Complaint alleges that the Plaintiffs are citizens of the Commonwealth of Virginia.
5. The amount in controversy in this matter is \$473,121.13, exclusive of interest and costs, which exceeds the statutory requirements of \$75,000.
6. The Plaintiffs commenced this action in a state court that is within this district and division.
7. Nationwide is also filing a notice with the Circuit Court for Prince William County, and will serve a copy of this Notice of Removal on the Plaintiffs.

WHEREFORE, Nationwide Mutual Insurance Company, respectfully, requests that the State Court Action be removed from the Virginia Circuit Court for Prince William County to this Court.

Date: February 19, 2021

NATIONWIDE MUTUAL INSURANCE COMPANY

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Counsel for Defendant

CERTIFICATE OF SERVICE

This is to certify that, on February 22, 2021, a true copy of the foregoing shall be mailed, first-class postage prepaid, to the following counsel listed on the Amended Complaint:

Thomas B. Hodges Jr., Esq.
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Counsel for Plaintiffs

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